

THE HONORABLE BRIAN A. TSUCHIDA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER J. HADNAGY, an
individual; and SOCIAL-ENGINEER,
LLC, a Pennsylvania limited liability
company,

Plaintiffs,

v.

JEFF MOSS, an individual; DEF CON
COMMUNICATIONS, INC., a Washington
corporation; and DOES 1-10; and ROE
ENTITIES 1-10, inclusive,

Defendants.

No. 2:23-cv-01932-BAT

**DECLARATION OF MATT
MERTENS IN SUPPORT
DEFENDANTS' MOTION TO
EXCLUDE BEN THOMAS**

Noted For Consideration: April 4,
2025

1 I, Matt Mertens, declare and state as follows:

2 1. I am an attorney at Perkins Coie LLP, and I serve as counsel for
3 Defendants Def Con Communications, Inc. and Jeff Moss (collectively, “Defendants”)
4 in the above-entitled action. I submit this declaration in support of Defendants’
5 Motion to Exclude Plaintiffs Christopher Hadnagy and Social-Engineer, LLC’s
6 (collectively, “Hadnagy”) Expert Ben Thomas.

7 2. The information contained in this declaration is true and correct to the
8 best of my knowledge, and I am of majority age and competent to testify about the
9 matters set forth herein.

10 3. Attached hereto as **Exhibit A** is a true and correct copy of the Expert
11 Report of Ben Thomas.

12 4. Attached hereto as **Exhibit B** is a true and correct copy of an excerpt
13 from the deposition of Ben Thomas conducted November 4, 2024.

14 5. Attached hereto as **Exhibit C** is a true and correct copy of the
15 spreadsheet prepared by Hadnagy and produced in discovery with Bates number
16 SE_001761.

17 I declare under penalty of perjury under the laws of the State of Washington
18 that the foregoing is true and correct.

19
20 Dated: March 7, 2025

21 s/Matt Mertens

22 Matt Mertens
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